

FILED  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF TEXAS

United States District Court SEP 25 2006

EASTERN DISTRICT OF TEXAS DAVID J. MALAND, CLERK  
SHERMAN DIVISION BY DEPUTY

UNITED STATES OF AMERICA §  
§  
vs. § Case No. 4:05cr136  
§ (Judge Brown)  
LUCAS MICHAEL SMITH §

MEMORANDUM ADOPTING REPORT AND  
RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE

Came on for consideration the above-referenced criminal action, this Court having heretofore referred the request for the revocation of Defendant's supervised release to the United States Magistrate Judge for proper consideration. Having received the report of the United States Magistrate Judge pursuant to its order, this Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct and adopts the same as the findings and conclusions of the Court. It is, therefore,

**ORDERED** that the Magistrate Judge's Report is **ADOPTED** as the opinion of the Court. It is further

**ORDERED** that Defendant's supervised release is hereby **REVOKE**D. It is further

**ORDERED** that Defendant is sentenced to a term of imprisonment of ten (10) months, to be served consecutively to any other sentence, with twenty-six (26) months of supervised release to follow. It is finally

**ORDERED** that Defendant pay restitution in the amount of \$3,445.54, due immediately, payable by cashier's check or money order, to the United States District Court and forwarded to the United States District Clerk's Office, P.O. Box 570, Tyler,

Texas 75710.

SIGNED this 25<sup>th</sup> day of September, 2006.

  
PAUL BROWN  
UNITED STATES DISTRICT JUDGE